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D E F E N C E

OF THE

Kings Authority

A N D

S U P R E M A C Y,

In the Church & Church-Discipline.

And that He is Supream Head and Governour, o-  
ver all persons, in all Causes Ecclesiastical.

Against these Disciplinarians, the Pope, and his  
Clergy, the Bishops and Episcoparians, the Scottish  
and English PRESBYTERIANS, with the  
I N D E P E N D E N T S.

Who have for a long time, usurped the power of Kings,  
and authority of Magistrates, contrary to the will of G O D,  
and the Honour of K I N G S.

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The second Edition much enlarged.

By THEOPHILUS BRABOURNE.

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*Give unto Caesar, the things that are Caesars.*

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L O N D O N,

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*(For a long time) 467 192*

# DEFENCE

OF THE

King's Attorney

SUPPLEMENT

to the

and the

Aristocracy, the Pope, and the  
INDEPENDENTS.

the House of Commons

The London Edition much enlarged.

1848

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Printed by

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# DEFENCE

Of The

## KINGS SUPREMACIE

In the Church and Church-discipline: Against these *Disciplinarians, the Pope, English Bishops, Scottish and English Presbyterians, and Independents: who have for a long time, usurped the authority of the King and his Magistrates.*

**M**Y ensuing Discourse shall be, to maintain the *Kings Supremacy*, in causes Ecclesiastical, and the authority of all Magistrates under him: and to confute the authority of *Bishops*, and other Ministers in Church-matters.

Now because I will not dispute on Generals, I will by and by come to a particular, namely to the censure and punishment of *Excommunication*: the which is all the authority that Bishops and Ministers do claim: and I shall try whether it belongs to the office of our Christian Magistrates, or to the Bishop and his Chancellour, or to the Minister and his Lay-Elders. Now if it can be made appear, as I believe it will, that the censure of Excommunication belongs to the Magistrate and not to the Bishop, then Bishops have lost all their authority, even the richest flower in their Garland,

By the way note, that as the inferior Ministers rule with their Lay Elders, so doth the Bishop with his Chancelors, who is no Minister, but a Lay man: and thus you see, that all Disciplinarians have their Lay Elders.

Now my endeavour shall be to give unto *Cesar* our King, the things that are *Cesars*: and to his subordinate Magistrates, the things that are theirs: and to give unto Bishops and Ministers, the things that belong to them; as to be *Preachers*, not *Rulers*, like Magistrates. I have 2 or 3 things more to preface before I come to my task.

1. Near twenty years agoe, I took the Nationall Oath and Covenant, to be true and faithfull to the King and his Posterity; the which I have been ever since, so far as in my power was, sorrowing to see so many illegall and treacherous practises, beyond my power to amend. I then also did swear, to do my endeavour for the extirpation of *Prelacy*, that is, of *Archbishops, Bishops, and Chancellors, &c.* In pursuance whereof I write this little Treatise: holding my self bound in conscience to keep my Oath.

But it will be said, the Parliament when they required this Oath was then illegall, the King being absent.

I answer. Hence it follows, that my Oath was illegall, and binds not in the Common Law; but yet it binds in point of Divinity: For an Oath taken by force and feare, binds, as in the case of the Oath taken to the King of *Babel*, Ezek. 17. 12. &c. And an Oath taken by fraud binds, as in the case of the *Gibeonites*: and no man on earth can absolve from such an Oath, Job. 9. 3. 4. 18. 19. with 2 Sam. 21. 1. 2. 6. wherefore I dare not be a perjured person. *Jeremiah* said, *Because of Oaths, the Land mournes*, Jer. 23. 10. God plagued the Israelites in *Dauids* time, for the perjury of *Saul* before him, 2 Sam. 21. 1. &c. We have sins enough in this Land to answer to God for: and shall we add wilfull perjury to them, to provoke the Lord to wrath? God forbid. Now I humbly beseech our honourable Parliament, to order things so, as those who have taken this Oath, which cannot be recall'd, may not be enforced by Law, to be forsworn by any of their endeavours to establish or countenance our new Bishops.



Many say, as King *James* did: no *Bishop*, no *King*; but King *James* was no Prophet; he spake as he thought and desired: But had he lived to our dayes, and seen what we have seen, he might have changed his proverb. If I may be so bold to speak my sense, it had been good for King *Charles*, his Son, if he had cast off Bishops twenty years before his death: For, as I suppose, they were one great cause of his untimely end.

For he had armed his Bishops with too much of his Authority, the which some of them abused to pride, calling them *Jack Gentlemen*.

Most of them abusing his authority, for the ushering in of Popish Ceremonies, spending their zeale, to maintain trifles, not befitting learned and grave Doctors: as an ayeriall Cross, and white Surplice, an Hood and Tipper, whereby they became ridiculous to the people:

And then they abused his authority, to cruelty and persecution for those trifles: How many hundreds of painfull and godly Ministers, of a good life and conversation, did they silence for non-obsequance of these, and unmercifully deprived them of their livings and livelihood, so as they were enforced to live upon Almes: So great was their persecution in those dayes, as they drove many hundreds of the Kings Subjects out of the Kingdom, to plant themselves in a Wilderness: And how great was their tyranny in the High Commission Court at London, and their Chancery Courts in the Country, persons of years know too well: and all this for trifles, whereby they became odious to the people then, and to those that late at the beginning of this long Parliament after, who rooted them quite up: For these were eye-witnesses; and sensible of the pride, ambition, and cruell persecutions of the Bishops, whereof many in our dayes being but young men, are totally ignorant, and therefore think to gather grapes of these thorns, and Figs of these thistles: But a wolf will be a wolf still, though you crop his eares, and cut his tayle, the same is true of a Fox.

Now in process of time, when unhappily the King and Parliament fell at odds, many thousands of the people took in with the Parliament, some help them with money, others with their persons and swords: but would not take in with the King, for feare of

of *Popery*, and for feare they should be still under the tyranny of cruell *Bishops*; the which to conscientious men, was more intolerable than monethly *Taxes*, or illegall *Monoppolies* of old. Thus the King lost the hearts of his Subjects, because they saw themselves in a desperate case: For it was grown into a proverb, no Bishop, no King.

3. Many who have read my former book of this subject, say, that I am an *Erastine*, but they are such as know not the opinion of *Erasmus*. I have seen his book, which was anciently a dispute between reverend *Beza* and him, about Excommunication. Now *Erasmus* held it to be no Ordinance of Christ, but a figment of mans brain: but I differ from him, and hold it to be an Ordinance of Christ, I onely endeavour to set the saddle on the right horse, saying, It is the office of the Magistrate, not of the Bishop or Minister.

These things premised, now I come to my taske, and shall handle by sundry questions and answers thereunto drawing nearer and nearer unto it by little and little, untill I come to the main. The consideration whereof, may prove useful to the King and *Parliament*. For desire them I do, to be cautious of putting their own sword into the hands of the *Clergy*, lest they turn the point of it against Magistrates: Have not the Scots excommunicated their King? and may not our Bishops (if true to their principles) do the same to any Member in Parliament, or Magistrate in the Kingdome? Yea, to the King himselfe: as I shall prove before I have done, and so I come to the questions.

1. Quest. *Who are the Church?*

I ans. Not the *Clergy* onely, but the *Laiety & Clergy* both, not excluding, but including the Magistrate: For the Magistrate is not onely a member of the Common-wealth, but also a member of the Church: He is an *Ecclesiasticall* person as well as the Minister: for he is of and belonging to the Church as well as the Minister: and so much is signified by the word *Ecclesiasticall*: Wherefore you may not object against the Magistrate, saying, he may not meddle with excommunication, because he is a Layman: For we must know, that the Magistrate is an Ecclesiasticall person as well as the Minister.

But you will say, the Minister is a *Spiritual* man, so is not the

the Magistrate. I answ. He is a *spiritual* man that minds spiritual things, and leads a *spiritual* life; Rom. 8. 1, 5. Rom. 7. 6. Now God be praised for it, we have many Magistrates, who are spiritual men, and lead a spiritual life; and many thousands of common people, who are so too: but Bishops, and Clergymen, and the Pope, will be the spiritual men, and Magistrates and others must be the *earthly* men.

Whereas I said even now, the *Laiety* and Clergy: I shall be quarrelled with by the Clergy, for giving the *priority* to the *Laiety*, and not to the Clergy; as hath been the custome for many hundred years. Now I grant, that it hath been the custome ever since there was a *Pope*, and ever since the Pope exalted himself above all that is called God; that is, above the Magistrate, 2 *Thes.* 2. 4. and see *Psal.* 82. 6. And this Popish custome, would Bishops and Clergy-men uphold still: But are not the *King*, Parliament, and Magistrates Lay persons, as they call them? and are not these above the Clergy? If these then be above Bishops and Clergy-men, these must have the *priority*, as well as superiority: and therefore I said, the *Laiety* and Clergy: to say otherwise is Popish, and tending to a denyall of the Kings *supremacy*.

Quest. 2. How are the members of the Church to be qualified?

I answ. Not speaking of the *invisible*, but of the visible Church on earth, these must have faith and repentance, or at least a *profession* of these: now that this latter makes a member of the Church, I thus prove it.

1. Baptisme is the door into the Church, and such as were baptized were entered into the Church, and admitted as members of the Church: Now John the Baptist, baptized a great multitude, as *Jerusalem*, and all *Judea*, and all the Country about *Jordan*, upon confession of their sins, *Mat.* 3. 3, 6. Now John could not know any more of these, then their verbal profession, and yet he admitted them into the Church by baptisme. 2. The 3000. converted and baptized by *Peter*; and so admitted into the Church, he could know no more of them, then their *externall* profession, by *submission* to his baptisme, and by saying *men and brethren what shall we do?* which were but words. True, the Text saith, they were pricked in heart, *Acts* 2. 37. But how could

Peter

Peter know this; save by their words, and submission to his baptism? both which were externall: The Text saith, *vers. 45. they sold their possessions to give to the poor*, yet *Ananias* was a liar, *Acts 5. 1, &c.* See *1 John 2. 19. & Mar. 13. 20.* Further the people of *Laodicea* were a Church, *Rev. 3. 14.* yet many of them had but externall profession. *Simon the Sorcerer* was baptized, and so made a member of the Church, *Acts 8. 13.* and *Judas* was a member of Christs family and Church.

By the way note, that there is a *superstitious niceness* in some, who will not admit one a member of their Church, without a moneths tryall, &c. but this is after the doctrine and commandements of men, *Col. 2. 22, 23.* not after the practice of *John the Baptist*.

To return: If a Magistrate hath but an outward profession, he is a member of the Church, and an Ecclesiasticall person, as well as a Minister: Let none therefore say, he is a Lay-man, and therefore he may not meddle with Excommunication, as a Minister may.

Quest. 3. *Is a Magistrate an Elder and Ruler of the Church?*

I ans<sup>r</sup>. He is not onely an Elder and Ruler of the Commonwealth, but also of the Church: this later I thus prove.

These called the Elders and Rulers of the people of this Commonwealth, *Numb. 11. 16, 24.* were Rulers of the Church also: For *Moses* commanded *Aaron* the chief Priest, to offer Incense, which was a Church-matter, *Numb. 16. 46.* King *Hezekiah* did the like, *2 Chron. 31. 2.* King *David* did so too, *1 Chron. 16. 7.* And also King *Josiah*, *2 Kings 23. 4.* and *3 Chron. 35. 15. 1, 2, 3, &c.* Things omitted afore-time, were written for our learning, *Rom. 15. 4.* Hence it follows,

1. If therefore a Magistrate be a Ruler of the Church, why may not he punish the scandalous sinner in the Church? and that with any punishment suitable to the offence? be it by their punishment of Excommunication, or any other punishment; it is in vain for him to command, if he may not punish.

2. If a Lay-Elder, be he the Bishop, Chancellor, or the Ministers Elders, may punish with Excommunication, why may not the Magistrate do so too? though you call him a Lay-man.

But you will say, the Lay-Elder doth it not alone, but with the Minister.

Ans<sup>r</sup>.

*Answ.* If he doth it with another, yet he doth it, though not alone. The chief Priests and Elders together, put Christ to death: Yet we may say, and speak truly, the Elders put Christ to death.

*Quest. 4.* Do you make two Churches in one Common wealth, the one of the Magistrate, the other of the Ministers?

*I answ.* Yea: for they hold the Congregation and Assembly of the Minister and people, in the *Parish-house*, to be one Church: and I shall prove, that there is another Church, as in the *Senate-house*, or common *Hall*, where the Magistrate and people, are congregated and assembled for matters of Justice.

For the word *Ecclesia*, translated a Church, signifyeth a Congregation, or an Assembly of people, *Acts 7: 38. Acts 19. 32, 39, 41.* Now the Magistrate and people in the *Senate-house*, are a Congregation and an Assembly of people: and therefore they are a Church, and all of them are *Ecclesiastical* persons, of and belonging to this Church.

As the Magistrate and people are a Church, so they are a Church of Christ: for they are all Christians, professing Christ, and faith in Christ, and they are also a Church of God: for their authority is of, and from God, *Rom. 13. 1.* and they assemble in their *Hall* to serve God; The Magistrate by ruling for God, and in his place, the people to be ruled by God, and his righteous Lawes.

The Magistrates Court therefore, being a Church of God, why should any say or think, that it is an unfit place, for the censure of Excommunication? may it not soon be as fit a place, as the Chancellours or Bishops Consistory?

Another quest. of these two Churches, which is greater? Papists say, the Clergy Church, so they say, Bishops too; for they say, *Church and State*: But we ought to give priority and superiority to the State, and say, *State and Church*: For Moses commanded *Aaron*, and so did Kings the Priests, to speak otherwise, giving priority to the Church, is popish, and tending to a denyall of the Kings supremacy.

*Quest. 5.* Being the Magistrate is no Divine, how can he know who is fit or not fit to be excommunicated?

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I answ.

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 I answer, How can two or three Lay Elders, know who is fit, and who not, being they are no Divines? And how can the Bishops Chancellours know, who is fit, and not fit? for he is no Divine.

2. As for *scandalous* sins, as adultery, drunkenness, swearing, and such like, being all matters of *Fact*, the Magistrate knows them, as well as the Bishop or Minister, for the Magistrate doth daily punish these sins in his Court.

As for *fundamentall* doctrines, being none are such, but onely such as are *clearly* laid down in Scripture: and being they are daily preached on by our Ministers, the Magistrate is not ignorant of these: Or if he be, God hath ordained the help of the Minister, by way of counsel and advice: but still so, as the power and authority as Judge to passe censure, is still in the Magistrate, as you may read, *Deut. 17. 8, 9, 10, 11.*

As for points *disputable*, not clearly revealed in Scripture, I hold, that no man is to be excommunicated for these: for if he be, the innocent may be punished, as soon as the wicked. And therefore the Magistrate needs not meddle with such points, but onely with sins clearly revealed to be sins, as *murder*, *Car. 5. 12* &c. and by like reason, swearing, drunkenness, and the like.

Whereas I said, the Magistrate may take the advice of the Minister, &c. I mean his advice in a fundamentall doctrine, which is very *clearly* a sin in Scripture, for else he may give wicked advice: But as for a doubtfull and disputable controversie, wherein Scripture is alledged on both sides, it is not safe for the Magistrate to condemn either side upon advice of the Minister: for a Church may erre, a Councell may erre, and 10. or 12. Ministers may erre too. Suppose therefore a point comes before the Magistrate, which *commonly* is holden to be an error or *heresy*, where will the Magistrate finde among the *Clergy* competent and fit Judges to determine it? for the Clergy hold the common opinion: Now if the Magistrate call in to his help and advice ten or 12. of the Clergy, will they not all advise for their own opinion? and then they will be incompetent and partiall Judges: Do you think, they will justifie the accused parry, and condemn themselves? I dare say it, that all the Bishops in England, will condemn.



condemn this book if not before they see it: But the Law permits no man to be a Judge or a witness in his own cause: when the *Clergy* gives judgement, of a cause commonly holden by others and themselves, to be an error or heresie, they are like the High Court of Justice, all or the major part came thither with a resolution, to make an end of the KING before they rose.

Quest. 6. *Is the King next under Christ, Supreme head of the Church?*

Ans. This question is out of question with me: but being I hear of some Ministers beyond Sea offended at this Title, and have read of some in England of like opinion, I shall here prove the point: and first by the Laws of our Kingdome, and then by the Scripture.

1. The Laws of our Kingdome, do give unto our King this just and Royall title, to be *supreme Head* under Christ, over all persons, and in all causes Ecclesiasticall or spirituall: wherefore the King is supreme haad of the Church, and therefore all good Subjects must acknowledge him so to be, Rem. 13. 1.

2. I have before proved, out of the Scriptures, that King Hezekiah, David, and Josiah, were Rulers and Governours over the Church, and in Church-matters, 2 Chron. 31. 2. & 1 Chron. 16. 7. & 2 Chron. 35. 1, &c. 2 Chron. 35. 15. & 2 King. 23. 4. Now those godly Kings were *supreme* in authority, for there was none above or before them: It was prophesied of, that in time of the Gospel, Kings should be our nursing Fathers, Isa. 49. 22, 23. Now in our dayes, though we have many Magistrates of high authority, yet none of them can or will challenge the supremacy, but the King onely.

3. See a pregnant Text for it, 1 Pet. 2. 13. *Submit yourselves, &c. unto the King,* as unto the *supreme*. So supremacy is the Kings just Title. Now being it is so, why do Bishops say and write Church and State? as if the Church and Bishops were above the King: where is then the Kings supremacy?

Quest. 7. *Doth the punishment of Excommunication belong to the office of a Bishop and his Chancellour, or to the Minister and his Lay-Elders?*

I answer negatively: This office belongs not to any Lay-Elder,

der, who is not a Magistrate of the Common-wealth: nor to any *Catholic*, who is a Lay-man, and no Magistrate: the contrary *not* expect to see Bishops or Ministers to prove if they can. And I am *not* *not* concerning Bishops or Ministers alone, without their Elders or *Assistants*, and I deny also, that this officer doth belong to a Bishop or a Minister. The contrary lies upon both of them, to prove if they can. In the mean time I thus prove against them.

1. Excommunication is a punishment, so confessed by all men, and so called in Scripture; *2 Cor. 12. 6.* and a punishment is a revenge, or taking vengeance on them that do evill, *Rom. 13. 4.* Now Bishops and Ministers may not punish, and revenge; For this belongs to the Magistrate, *Rom. 13. 4.* not to a Bishop or Minister.

St. Paul saith, a Bishop must be no striker, *1 Tim. 3. 3.* Now I know not why a Bishop may not as well strike with his hand or fist, as punish, and take vengeance on any man by Excommunication. Their distinction of corporall and spirituall punishment will not help them, as you shall see in the next quest.

2. The office of the Magistrate is, to *summon* into his Court, these scandalous sinners, the adulterer, sweaver, drunkard, and the like, and in his Court to *examine* them, and to *examine* witnesses against them, and then if guilty, to judge and *condemn* them to punishment; all these are acts of Magistraticall authority, and we daily see Magistrates exercising this authority. Now for Bishops to use these severall acts in their Consistorie, is an *aspiration* of the Magistrates office, and authority: and therefore this authority belongs not to a Bishop or a Minister, nor to the Pope: and without these precedent acts of authority, there can be no Excommunication.

3. Christ hath forbidden the Pope, the Bishop of a Diocese, and the Minister of a Parish, to exercise *Letall* authority in the Church: for he said, *The Lords of the Gentiles exercise dominion, and they that are great, exercise authority: But it shall not be so among you.* Mat. 20. 25. Christ forbid his Apostles to Lord it; and St. Peter to like purpose said, That Ministers must not be so much as, or like unto Lords, over Gods heritage, *1 Pet. 5. 3.* Now for a Bishop to punish with the Rod of Excommunication,

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it is a Lordly authority, for punishment is Lordly; and for a Bishop in his Consistory, to examine one, and witnesses against him, and then to judge and condemn him to punishment, this is Lordly authority: wherefore the censure of Excommunication belongs not to a Bishop.

I shall prosecute this point further, by sundry *absurdities* which depend upon it, as

1. If Excommunication be proper to a Bishop, or a Minister, why doth the Bishops Chancellour meddle in it? for he is a Layman: and why do the Ministers Elders meddle in it? for these are Lay-men.

2. If the Bishop will punish *some sins* by Excommunication, as *Adultery*, then he must punish *all sins* with Excommunication; for if he doth not, he is *partiall* and *unjust*. The Bishop hath but one *salve* for every sore, but one *last* for every foot, which is Excommunication for greater and lesser sins: wherefore he must inflict this one punishment upon every sinner: and then he must excommunicate every thief, every traytor, and every murderer before they are hanged: and there are a multitude of trespasses by the Common Law, the which are sins also: Now all these the Bishop must summon into his Consistory, for to undergo his spirituall punishment.

3. The Magistrate punisheth in his Court, the adulterer, drunkard, swearer, &c. Now the Bishop and his Chancellour, may not punish these in his Consistory again with Excommunication; for if they do, they commit *injustice*: For after the Magistrate hath inflicted a full punishment, then for a Bishop to bring the matter about again for another punishment: this is to punish twice for one fault, a double punishment for a single sin: It is a torment intolerable, and apt to make men run mad, to be trouped from the Magistrates Court, unto the Bishops Consistory, for one crime, to be twice examined in severall Courts, to have witnesses twice brought against them, to be twice censured and condemned, and to suffer two sorts of punishments, and all for one fault, which hath been sufficiently punished before by the Magistrate: this is intolerable.

To avoid this mischief, either let the Magistrate do all acts of authority and justice, without the Bishop: or let the Bishop  
and

and his Chancellor; do all acts of authority and justice, in things Civill and Ecclesiasticall, without the Magistrate; For to have two such Magistrates, a corporall, and a spirituall, or a Civill, and an Ecclesiasticall, is as if we had two Suns in the Firmament, or two Kings in England, the Pope was the author of it.

4. If Excommunication be exercised by a Bishop, then he makes himself an *Antichrist*, or *Pope*: For in his Consistory, he sits as a Judge over a Magistrate if he be scandalous, examines him, and witnesses against him, censures and condemns him: Now the *marke of Antichrist*, is to *exalt himselfe above all that is called God*, 2 Thel. 2. 4. And the Magistrate is called *God*, *Psal.* 82. 6. If therefore a Bishop doth passe sentence upon a Magistrate, he makes himself *Antichrist*.

Quest. 8. Is excommunication a spirituall punishment belonging to Bishops?

I take this to be a popish device, and invented by the *Pope*: For when he *encroached* upon the authority of *Kings*, that he might with the more colour obtain leave from them, to *reigne* over the souls of the people, leaving the bodies and fleshy carcasses for Kings to Reigne over, then he sifted them with this Dose; that Excommunication is no corporall but a *spirituall* punishment, and sutable to his *spirituall* Clergy: and this hath been the dose and plea of our Bishops ever since.

But why the Clergy should engross this *spirituality* as proper to them, I see no reason: For a Magistrate is an Ecclesiasticall person, and a *spirituall* man, as well as a Bishop: for he is a *spiritual* man that worships God in spirit and truth: and who minds spirituall things, and live after the guidance and motions of the spirit, *John* 4. 23. *Rom.* 8. 1, 5. *Rom.* 7. 6. Now we have as many Magistrates, such spirituall men as Bishops: and therefore Magistrates are as fit to exercise the *spirituall* discipline of Excommunication as a Bishop: this I thus prove.

1. If a Bishops Chancelleour who is a Lay-man, or the Lay-Elders of Ministers, may meddle in spirituall Excommunication, then a Magistrate may do so too, though you call him a Lay-man.

2. That *Excommunication*, if it be a spirituall punishment, yet it is in the power of the Magistrate, it is cleer, *Ezra* 10. 3, 7, 8. where

where the *Princes* and *Elders*, did by a Proclamation, threaten the people with *Excommunication*, or separation from the congregation, if they came not to take the Covenant.

3. King *Solomon* put off *Abiathar* the Priest, from his spiritual office of Priesthood: which degradation was a spiritual punishment, 1 King. 2. 27. as his office was a spiritual blessing.

4. If *Excommunication* be a spiritual punishment, yet it belongs not to a Bishop, because it is a *Lordly* power, forbidden by Christ to Ministers, *Mat.* 23. 24. & 1 *Pet.* 5. 3.

5. If a Bishop use this spiritual punishment of *Excommunication*, he makes himself an *Antichrist*, and a *Pope*; as I lately proved.

Quest. 9. Can you prove, that the censure and punishment of *Excommunication* belongs to the Magistrate?

I answer yes: But first give me leave to shew what, and how the Magistrate is to act in this his office: when he hath summoned into his Court the Adulterer, Swearer, Drunkard, &c. and hath examined him, and witnesses against him, and hath convicted him as guilty of punishment, then he is to passe sentence on him publicly in Court, to suffer such punishment as is futable to his sinne: and if the Magistrate judgeth *Excommunication* to be more futable then any other punishment, then he is to denounce the sentence thereof upon the offender: And this done, then he is to send his command to the Bishop or Minister of the parish to deny him the Sacrament. I doubt not, but the Magistrate may command the Bishop or Minister: For *Moses* commanded *Aaron*, *Hezekiah* and *Josiah* commanded the Priests and Levites; and so I come to prove the point.

1. The censure and punishment of *Excommunication* must either belong to the Bishop or Minister, or to the Magistrate: But it belongs not to the Bishop or Minister, as I have abundantly proved before. Therefore it belongs to the Magistrate.

2. The *Princes* and *Elders* in *Ezra's* time, commanded the people to come to *Jerusalem* to take the Covenant, and threatened those that refused, with *excommunication* or separation from the Congregation or Church, *Ezra* 10. 3. 7, 8. whereby you see that *excommunication* was in the power of the Magistrate.

3. King *Solomon* degraded *Abiathar* the Priest from his spiritual



tuall office, which was a spirituall punishment, 1 King. 2. 27. Now if Kings and Magistrates will imitate *Solomon*, then they must excommunicate scandalous persons: *Solomon* put off the Priest from meddling in holy things, so should Magistrates cut off scandalous sinners from the communion of Saints at the Lords Table, and from meddling with these holy things.

4. If the Magistrate may command spirituall duties, then he may inflict spirituall punishment for neglect of them, as in *Excommunication*: He that may command a duty, hath power to punish the neglect of it, or else he hath no power to command: to command without a coercive power to compell, is but an image or scare-crow: But the Magistrate may command spirituall duties, 1 *Chron.* 16. 7. & 2 *Chron.* 35. 15. & 2 *Chr.* 29. 1. 4. 5. & 2 *Kings* 23. 4. And therefore the Magistrate may inflict the spirituall punishment of *Excommunication*.

5. *Excommunication* is a punishment, and so called by all men, and so it is called in Scripture, 2 *Cor.* 2. 6. and a punishment is a *revenge*. Now to punish and revenge is proper to the Magistrate, for he is the Minister of God, to punish and to take vengeance on him that doth evil, Rom. 13. 4. Wherefore the censure of Excom. upon the scandalous sinner, belongs to the office of the Magistrate.

6. The severall acts of authority used in Excom. belongs to Magistraticall power, as to summon into Court, and to examine witnesses against one, and to examine the person complained on: And without these precedent acts, there can be no Excom. Now to whom belongeth these acts, to him belongeth the censure of Excom. that is, to the Magistrate.

By these particulars it appears, that by the Word of God, the Bishop in his Consistory doth *usurp* the Magistrates office.

Quest. 10. Do Bishops devalue the King of his Supremacy?

I answer yes; and thus I prove it.

1. It is clear by the Word of God, as hath been proved, that Bishops do *usurp* the Magistrates authority and office: Now he that usurps the Magistrates authority, he usurps the Kings authority, for the Magistrates authority is the Kings: and he that usurps the Kings authority in causes Ecclesiasticall, he denies and devalues the King of his Supremacy in causes Ecclesiasticall:

For



For if you deny him authority, you deest him of, and deny his superiority and supremacy in authority. If a Master gives his servant five pounds, to dispose of by his order, and the servant be robbed of it by the way, not onely the servant is robbed, but his Master also: and then his money being lost, he can exercise neither authority nor superiority over it: So it is, if a Bishop takes from the Magistrate the Kings authority, with it he takes the Kings superiority and supremacy in Ecclesiasticals.

But Bishops will say, they had the Kings *Commission* for it: and the King gave them this authority. But say I, *Christ* forbade them to take it, *Mat. 23. 25.* and *1 Pet. 5. 3.*

Secondly, they say the King gave it them; and so doth a true man give his purse to a Thief, but it is out of fear: So these Kings afore-time, gave their authority to Bishops, but they got this gift by fraud: For the Pope perswaded Kings, that the *Key* of Discipline and Jurisdiction was a *Legacy* left by *Christ*, first to Saint Peter, and so to his successors, *Mat. 16. 19.* which is false, and more then can be proved. Besides, *Christ* forbade the Pope and Bishops to exercise Lordly authority, *Mat. 20. 25.* & *1 Pet. 5. 3.* Now as the Pope, so did those Bishops falsely plead that Legacy, and so got it by fraud and subtilty: wherefore as I conceive, the gift of those Kings, and their Commissions was a nullity.

*Cromwell* of late, got off the Kings head by force: and thus Bishops got away those Kings regall authority in the Church by fraud and subtilty: Would it not grieve a man to see his friend cheated of his money at Dice? And how can it but be grievous to a loyall Subject, to see his Kings just and Royall prerogative, wrested out of his hands by the wit of Bishops?

In King *Henric* the 8. the Bishops of *England* took an Oath to the Pope; whereupon the Lord *Cromwell* then informed the King of it, saying, that he was but half King, and his subjects but half-subjects to him: As I conceive, that the King was King but over the bodies, and Bishops were Kings over the souls of the people: so they fell into a *perjury*, which cost them 100000 pounds. The Bishops in those dayes could not by flattery and subtilty perswade the King and his Council, that *St. Peters* keyes did hang on the Popes girdle, or on the girdle of *English* Bishops: he would not be so cheated of his supremacy, for they got it by fraud.

2. The Pope holds his office *jure Divino* : so do those Bishops, and so do our Bishops : for all these plead for *Petrine* keys, and such like strings : Now though our Bishops take a commission from the King, and say he is supreme, yet they hold a higher commission, namely from God and Christ, and the Scriptures : How then can the King be *supreme* in causes Ecclesiastical, for Bishops have a commission higher then the commission which they have from the King : And how can he be next under Christ, when the Bishops have gotten the *higher* Commission ? The King may be supreme over the State, but Bishops are next to Christ, and supreme over the Church, and in causes Ecclesiastical ; for they say, they have an immediate commission from Christ : If so, their commission from the King must be an inferior commission.

3. If a Bishop hath this Lordly authority to Excommunicate, then if he makes conscience of his office, he must do justice to and upon all men, rich and poor, noble and ignoble, even to the King as well as to the peasant : God is no respecter of persons, a Bishop must not be partial. Now if a King be subject to a Bishop's Court, and the Bishops there sit as *Lords* and *Judges* over him, where is the Kings supremacy in Ecclesiasticals ? Notwithstanding Bishops consciences and doing of justice ; I know they dare not summon the King into their Consistory : Yet I know, and they know too, that by their *primacy*, and the power of *Petrine* keyes, which hang at their girdle as they make the world believe, they are bound to make no scruple of any man, noble or ignoble.

The Scottish Discipline is odious to *Episcoparians*, for excommunicating their King : but in my opinion, the *Scotts* are the more honest men, for they act according to their principles, but Bishops halt of one leg, and are blind of one eye, when they look upon a King, and yet the *Scotts* and our Bishops do fetch their authority both from the same Scriptures : If therefore they may excommunicate the King by their principles, where is the Kings supremacy ?

4. There is a secret designe of Bishops for supremacy, for they write and say *Church and State* : Now though common people regard not which end goes forward, yet Bishops do : for they

they do not onely write so, and speak so, but will have others to speak so too: my self being with a *Bishop* long since, I said *State and Church*: but the *Bishop* corrected me, saying, you must say, *Church and State*: So *Bishops* will have priority and superiority over the *State*: and if so, then they aim at the Kings supremacy, for he is a *Statesman*, and the chief of the *State*: there can be no supremacy, where there is not priority & superiority. However the *Bishops* do act openly for the Kings supremacy, yet underhand, they aime at the old popish supremacy: why else do they keep on foot, that popish language of *Church and State*?

The *Bishops* also use to name the *Clergy*, and *Laity*, giving the priority and superiority to the *Clergy* and *Bishop*: but where then is the Kings priority, superiority, and supremacy? Also they use so say, *Lords spiritual* and *Lords temporal*.

Question whether *Ministers* capable of a *Bishoprick*, or the office of a *Bishop*? I have answered this question in many places, and have always answered negatively, and my reasons are these.

1. As is before proved, *Christ* hath forbidden *Ministers* to use *Lordly* authority in the *Church*, *Mat. 20. 23.* & *1. Pet. 5. 3.* and therefore *Ministers* are not capable of a *Bishoprick*. 2. If a *Minister* takes upon him the office of a *Bishop*, he makes himself a *Pope* or an *Antichrist*, who exalts himself above all that is called *God*, *1. Thes. 2. 4.* Who is the *Magistrate*? *Psal. 82. 6.* For in his *Consistory*, he sits as *Judge* over both *Magistrate* and people.

3. The office of a *Bishop* by ruling, is contrary to the office of a preaching *Minister*, as I thus prove.

*Christ* sent his *Apostles* to preach, *Mat. 20. 1, 2, 7.* but not to rule. *St. Paul* charged *Timothy* not to rule, but to preach, and to instruct in season, and out of season, *2. Tim. 4. 2.* And *St. Paul* said, *Woe unto me, if I preach not the Gospel.* *1. Cor. 9. 16.* And *Ministers* had their *Ordination*, not to rule, but to preach.

But *Lordly Bishops* are no *Preachers*: no sooner *Bishops*, but their heads are so full of *Proclamations* with ruling, as they lay aside preaching. *Queen Elizabeth* when she went to make a *Bishop* said, *I am unwilling to give a *Preacher* more than I can speak my knowledge of him for sixty years. That they preach not above once a year, sometimes twice, sometimes not once.* *Bishops*

the overhauling of the Church, but of for Preachers: they have been the Devil's tools, and have been in both Vineyard, & those that have been the Devil's tools in the earth, for in a dark land, they did not such Bishops well-deserve 2000, or 3000, to holden years, surely the State shall lose money, deny not what we do with their money. As for the fact that late at the beginning of the long Parliament, though I cannot call them legal, the King being absent, yet I look upon them, as an Assembly of wise men of our Kingdome: and those judged it good for the Church to trust our Bishops, Archbishops, Deans, Chancellors, &c. and these wise men were eye-witnesses and ear-witnesses, and had too long an experience of Bishops mismanagements, the which our young eyes cannot afford us.

They saw with their eyes, how the *Law* of Religion was in a Consumption, and how Religion was like a garden overgrown with the nettle and weeds of humane inventions, and Bishops, or rather the Popes inventions, untill Ceremony had well nigh eat up substance: all was for an outward form and fashion, as to bow towards the East, and then to turn West: To go up to the high Altar, and then to come down again to the Desk, to be clad in white, and in the Pulpit to be clad in black, as if God were pleased with such toys: but I shall tell you of many more of these Ceremonies before I have done. One thing more I believe provoked these wise men, which was the Bishops cruel *persecution*, silencing and depriving of livelihood, very many good and faithful Ministers, men of a blameless life and conversation, and all for non-observance of popish Ceremonies: and another thing was, that they drove hence many of the Kings Subjects, to plant in New-England.

Quest. 22. *Are Bishops allied, or akin to the Pope, in that they*

*Popish* I have often said, that Bishops Ceremonies are Popish, and now I shall prove it, by shewing their affinity to the Pope.

1. The Pope of Rome is a Clergy-man, a Bishop, and a Lord-Bishop, and so were our English Bishops.

2. The Pope had these many Orders of Archbishops, Bishops, Deans, Commissaries, Chancellors, Arch-deacons, Prebends, and the rest of them: so have our Bishops, as like to the Pope as may be.

3. The

3. The Pope reigns over many Nations: and our Bishops, over hundreds of Towns and Parishes; and the Arch-bishop, by reason of a larger circuit, is yet nearer the Pope.

4. The Pope challenges the *Lordly* power of Excommunication, and so do our Bishops.

5. The Pope *exalts himself above all that is called God*, that is the Magistrate: and so did our Bishops in their Consistory.

6. Popes a Minister, but no preacher: so were our Bishops, Non-preachers: As soon might you draw a Bear to the stake, as a Bishop into a pulpit: and it was once in a year, then they came trapped with their popish retainers: Bishops had high Altars in their Chappels, and wax Candles thereon unlighted, a fiddle-bisme of a Bishop without light in a pulpit: They would be like *Angels*, *Rev. 1. 26.* but they were not the *Angels of light*: for they gave no more light than their wax candles, unless on Christmas Day in the forenoon.

7. The Pope was a cruel persecutor of godly protestants: so were these Bishops of many godly painfull Ministers; men of an honest life and conversation, these they silenced from preaching: (The dog in the manger would not eat hay, nor suffer the horse to eat) and they unmercifully deprived them of their Livings and livemoes, so as the Minister, his wife and children were enforced to live upon *Almsdeeds*.

8. Bishop Wren, whilst Bishop in *Norwich*, forbade the Ministers in his Diocese, to make any prayer in the pulpit, and nothing but an exhortation to prayer, according to the 35. Canon: as pray we for the King, or let us pray for the sick, &c. but the Minister was not suffered to put up one petition to God, for the King, or for the sick. If this be according to the 35. Canon, then all the Bishops were of this mind. Also papists do sing their *Mass*: so in our Cathedral Churches, Bishops do sing, cant, and chant their *Service*.

9. The Pope was horribly *superstitious*, so were these Bishops: for both of them had their Crofs in baptism, the Surplice, hood and tipper, Copes, high Altars, Waxe Candles, Rails before the high Altar, bowings towards the high Altar; Saints dayes, standing up at the Creed, with others like. Bishops said, these Ceremonies were *innocent* and *devout* things: but they have been de-  
filed



filled with *Superstition*, as I read in their *Canons*; and are things defiled now innocent and are popish ceremonies decent things in a *Protestant Church*.

Thus it appears that the Pope and those Bishops were much alike, and nearly allyed, and that I have done them no wrong, by saying they were popish: For I read not in *Scripture*, of *Arch-Bishops*, *Lord-Bishops*, *Deans*, *Chancellours*, &c. nor of a *Crosse* in the ayre on an infants fore-head, nor of *Surplices*, *Hood*, and *Tippet*, nor *Copes*, *Wax-bandles*, *Rails*, &c. These never were plants of Gods setting, but of the Popes: I cannot therefore bow to this *golden Image* which the Pope hath set up.

The Popish *Mass* doth crawl full of these Ceremonies, and so doth our Bishops: *Divine Service* in Cathedral Churches, the which is one cause, why many people do so loath the Service-book: for where the Service-book comes in, there comes in these *Romish ceremonies*: and we have a *superstitious Clergy*, as ready and nimble to bid them welcome as may be.

These Bishops therefore, being so like the Pope in cruel persecution of godly Ministers, in *superstitious ceremonies*, and in *superstitious Orders* of Archbishops, Deans and Chancellours, &c. and being such *loysters* in Gods Vineyard, and biding their talent of light in a close *Lantern*; those at the beginning of the long Parl. did us a good office to remove them quite: and I wish the King had been in preience, to have confirmed it, and annexed their Land to the *Crown Lands*, where they would have done good: but now they do none, but to maintain a *Colledge* of lazy persons; but that which hindered our happiness, was an over high carriage then with the King, for which we have ever since smarted full sore.

Quest. 13. *Is there no means to pacifie and allay the animosity between Bishops and Episcopallians, Independents, and the Scottish Disciplinarians, that so we may have peace in the Church.*

Ans. Yes, there is one means, and but one that I know of; which is, that the King would take his own sword into his own hands, and manage it by his Magistrates, who are capable of it, as I have abundantly proved, and discharge *Bishops*, *Presbyterians*, *Independents*, and *Scottish Disciplinarians*, of their Lordly power. This Kingly sword is the bone of contention among them





8. See Gen. 1. 1. The Gods, they appeared not at all. Single  
plurally in the Heb. Text; both the noun and verb are plural  
as if there were two or three Gods; as God the Father, God the  
Son, and God the holy Ghost; But it is falsely translated, both in  
in the noun and verb singularly, as God appeared: as if there were  
but one God in the Trinity.

The Church faith, there is but one God: Now Translators,  
unfaithfully to maintain the Doctrine of the Church, translate  
falsely, to draw Scripture to the Church; but like honest men  
they should translate word for word, number for number, and  
draw the Church to the Scriptures.

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**F I N I S.**

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but one God in the Trinity.

*A Postscript, further proving, that Bishops usurp  
the Kings Authority, and deuest him of his Su-  
premacy.*

**T**He King is the *Fountain* of all Authority and Jurisdiction: and  
whoſoever exerciſes Jurisdiction in this Kingdome, without  
authority from the King, they uſurp the Kings authority, and make  
voyd his ſupremacy; and this Bishops do: For

1. There are two eſſentiall parts of a Bishops office as they hold,  
*Ordination* and *Jurisdiction*. Now, they lay as much claim to the  
power of *Jurisdiction*, as to *Ordination*, and receive them both  
from the ſame hand and Donor: As the one therefore is from God,  
not from the King, ſo is the other, even both from one and the  
ſame Donor, but neither of them from the King. 2. a Biſhop is  
created, by his *Metropolitan* and other Bishops, who by *Impoſition*  
of their hands, do conſer upon him as from God; the office of ju-  
riſdiction as they lay, now this Office is not derived from the King,  
nor can be: for the King doth not *lay hands* on the Biſhop created.  
3. Bishops claim their authority and jurisdiction in the Church, from  
*Peters Keys* *Mat. 16. 19.* but not from the King, for *Peters Keys*  
were not delivered to *Kings* or lay perſons, but to the *Clergy*. 4.  
All this Bishops conſelt in their writings, concerning this ſimilitude,  
the patron gives the Benefice or Living to the Incumbent, but the  
Biſhop gives him his orders; ſo the King gives the Biſhoprick to  
the Biſhop, that is his large maintenance of 2 or 3000. a yeare,  
but God gives him his Office, and makes him a Biſhop: ſo then a  
Biſhop doth derive his Office of jurisdiction from the King. 5. Bi-  
shops in diſputation ſay their Office is *Ins Divinum*: ſo then they  
own not the Kings Authority in Eccleſiaſticals: for this is *Ins Hu-  
manum*.

From the premiſes it is cleare, 1. That Bishops have and exer-  
ciſe as high Authority in the Church, as the King hath in the *Common  
Wealth*: how then can the King be ſolely next *under Chriſt*? yea,  
the Bishops have the ſole authority in the Church, but the King  
hath

hath none at all : where is then the Kings authority, superiority, and supremacy in Ecclesiasticals : the Bishops have all authority from God, in themselves : they derive none from the King : wherefore they *own not* the Kings authority, soveraignty, superiority, nor supremacy : no more then *Papists* do.

True it is, that Bishops *pray* for the King as supreme, and use their authority in his *name* : but for all this, as you have seen they do not *own* his authority, but deny it : they do but *dissemble* : for when they speak really and cordially, they reject his authority : but when they intend to *flatter*, then in words, they *pray* for the King as supreme. Those *Exorcists*, Act 19. 13. did name over those that had evil spirits, the name of the Lord Jesus : but had no authority so to do, and their end was evil : so Bishops, use the name of the King and his authority : but have no authority from the King so to do, as you have seen proved : wherefore they *usurp* his authority : and their end therefore cannot be good.

*Two or three things added to my post script, further proving that Bishops were Popish.*

**S**ince my former writings, a booke came to my hands, intituled, *Reasons for the necessity of reformation in Discipline &c.* Wherein Inote besides others, 2 things : and I shall add a third.

1. That Bishops have foisted into the Book of Common Prayer many *Apocryphal* Scriptures, which by the Law ought to be read in Churches : and which worse is, they have rejected 100 Chapters of the sacred *Canonical* Scriptures, and placed 100. Chapters instead of them, of *Apocryphal* Scriptures : *Oh abominable fact !* do they deserve the name of protestant Bishops, who *Pope-like*, make *Apocrypha* Scriptures, of equal authority with the Holy word of God ? was it not high time for the long *Parliament* to root them out ?

2. In the *Letany* of old, there was this Protestant prayer *from the Bishop of Rome*, and all his detestable enormities, *Good Lord deliver us*, but in our books of Service, afterwards printed, this prayer was rejected by Bishops, and not one word of it, were not those Bishops think you, greater friends to *Papists* than to *Protestants* ? for they would not suffer us to pray against Popery.

3. About 50 years agoe, Bishops persecuted many godly and pain-

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painfull Ministers for the *Cross* and *Surplice*, but within about 20.  
year after, what a troop of popish ceremonies more did  
they pester our Church withall? then they brought in 1.  
*High Altars* 2. The *second service* at the high Altar. 3.  
*Bowings* and cringing towards the East and the high Altar.  
4. *Waxe Candles* on the high Altar in Bishops Chappels. 5.  
*Railles* before the high Altar. 6. the Sacrament was denyed to  
those that refused to come up to the high Altar for it: I cannot re-  
member all their trinkets 100. *Apochripal* Chapters instead of 100  
Canonical Chapters. 8. No *prayers* to be made for the *King* in pul-  
pit. 9. That the *prayer* in the Letany, against *popery*, must no more  
be used. All these have sprung up long since my time: and had not  
the long Parliament prevented it, by rooting out Bishops, we may  
seare that by this time or not long hence, *England* would have  
been another *Rome*. Judge I pray by these particulars, whether that  
was true or not, which I wrote at the beginning of this Book say-  
ing, not only Bishops tyranny, but also the *seare* of *popery*, caused  
thousands of the people to desert the King, at the beginning of the  
unhappy warr. Those that had eyes in their heads might easily see  
what a crew of Popish Bishops we had: for my part I never look to  
see them better, unless for a moneth or two or so long as our *Graci-  
tious King* live: who I beleeve will *awe* them for his time: but  
what shall become of us afterward?

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FINIS.

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